

KELLOGG, HUBER, HANSEN, TODD, EVANS & FIGEL, P.L.L.C.

SUMNER SQUARE  
1615 M STREET, N.W.  
SUITE 400  
WASHINGTON, D.C. 20036-3215

(202) 326-7900

FACSIMILE:  
(202) 326-7999

January 5, 2017

*Via ECF & Overnight Mail*

The Honorable Sarah Netburn  
United States District Court for the Southern District of New York  
Thurgood Marshall Courthouse  
40 Foley Square, Room 430  
New York, NY 10007

Re: *Coordinated RMBS Trustee Litigation Against HSBC Bank USA, N.A.*,  
No. 14-cv-08175 (LGS) (SN); No. 14-cv-09366 (LGS) (SN);  
No. 14-cv-10101 (LGS) (SN); No. 15-cv-02144 (LGS) (SN); and  
No. 15-cv-10032 (LGS) (SN)

Dear Judge Netburn:

On November 18, 2016, Plaintiffs in the above-referenced actions submitted via email their Coordinated Plaintiffs' Memorandum of Law Supporting Sampling, along with the accompanying Declaration of Scott K. Attaway and Exhibits. Pursuant to Your Honor's Individual Practice Rule III(d), Plaintiffs at that time did not file the submission publicly on ECF because the brief and certain exhibits included materials designated by defendant HSBC as confidential under the protective order. Plaintiffs did so in order to allow HSBC the opportunity to ask that any materials be filed under seal.

Since then, HSBC filed its own responsive brief and exhibits publicly on December 12, 2016. Yesterday, counsel for HSBC informed Plaintiffs that HSBC does not object to the filing of Plaintiffs' entire submission on the public docket, with one minor exception necessary to protect additional personally identifiable information of borrowers in Exhibit W. *See* Federal Rule of Civil Procedure 5.2(a).

Accordingly, Plaintiffs hereby file their entire November 18, 2016 submission on ECF, with the additional necessary redactions to Exhibit W. As a result, the only redactions in the entire filing are ones necessary to protect personal borrower information; and because such information is irrelevant to the issues presented for the Court's decision, Plaintiffs submit that it would be unnecessary to submit that information under seal. Plaintiffs also will provide to Chambers three courtesy copies of the properly redacted Exhibit W, which may be substituted for the Exhibit W in the previously delivered courtesy copies.

KELLOGG, HUBER, HANSEN, TODD, EVANS & FIGEL, P.L.L.C.

The Honorable Sarah Netburn

January 5, 2017

Page 2

Respectfully submitted,

/s/ Scott K. Attaway

Scott K. Attaway

Attachments

cc: Counsel of Record (via ECF)